

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

YAMADA, *et al.*

Serial No.: 10/599,405

I.A. Filing Date: March 31, 2005

For: MANUFACTURING METHOD AND ASSEMBLY
ASSISTING DEVICE FOR VEHICLE

Art Unit: TBA

Examiner: TBA

Atty. Dckt: 034201.007

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mail Stop Petition

Dear Sir:

This is a petition to revive the above-identified application which became abandoned from failure to pay the full U.S. Basic National Fee by 30 months.

1. Petition Fee – Payment for the petition fee of \$1500.00 under 37 C.F.R. 1.17(m) is being made with a credit card via EFS-Web.
2. U.S. Basic National Fee – Payment for the U.S. Basic National Fee of \$900.00 (filing, examination and search fees) is being made with a credit card via EFS-Web.
3. Terminal Disclaimer with disclaimer fee – since this utility application was filed on or after 8 June 1995, no terminal disclaimer is required.

4. STATEMENT

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

The filing attorney who filed the instant National Phase application (hereinafter the “filing attorney”) is no longer associated with the undersigned firm, Smith, Gambrell & Russell. Applicants and the undersigned attorney were unaware that the filing attorney failed to pay the

U.S. Basic National Fee when he submitted the request to enter the U.S. National Phase on 28 September 2006. Because the filing attorney failed to check the box on the original submission filing papers indicating that the Commissioner is authorized to charge any additional fees to the undersigned firm's deposit account, and because the U.S. Designated Office did not mail any notice informing applicants of non-payment of basic national fees, Applicants and the undersigned did not realize that the instant application was abandoned until after receipt of the Notification of Abandonment of June 18, 2007.

The undersigned attorney hereby represents that upon receipt of the Notice of Abandonment, the matter was timely and diligently investigated and the abandonment was determined to be unintentional. Once the abandonment was determined to be unintentional, this Petition was docketed and placed in the queue to be prepared and filed. Therefore, the entire period of abandonment was unintentional.

It is not believed that fees beyond those submitted herewith are required. If, however, any additional fees are necessary in order to grant this petition, then such fees are hereby authorized to be charged to our Deposit Account No. 02-4300, Attorney Docket No. 034201.007.

Respectfully submitted,
SMITH, GAMBRELL & RUSSELL, LLP



Michael A. Makuch
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Date: 20 July 2007

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